

The New Orleans City Council will hold a Special Meeting on May 16th, 2019 at 9:30AM in the Council Chambers. This meeting will address Zoning Dockets 26/19 and 27/19, which recommend changes to the Comprehensive Zoning Ordinance as it relates to Short Term Rentals. Below you will find the abbreviated agenda, public speaking rules, and proposed amendments to both Zoning Dockets. For any questions, please [contact your council office](#).

Abbreviated Agenda (For full agenda, please [click here](#))

1. EXECUTIVE SESSION

Brief:

In accordance with Louisiana R.S. 42:16 and 42:19(a), the Council of the City of New Orleans may convene in executive session for the purpose of discussing the following pending litigation:

1. *Alliance for Neighborhood Prosperity v. City of New Orleans, Civil District Court – Orleans Parish – Docket No. 2019-4895.*

2. ZONING DOCKET NO. 26/19 – CITY COUNCIL MOTION M-19-4

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to incorporate certain recommendations and initiatives contained in the 2018 “Short Term Rental Study” Location, Citywide. The recommendation of the City Planning Commission being “**FOR MODIFIED APPROVAL**”.

3. ZONING DOCKET NO. 27/19 – CITY COUNCIL MOTION M-19-4

Brief:

Requesting a text amendment to the Comprehensive Zoning Ordinance to incorporate certain recommendations and initiatives contained in the 2018 “Short Term Rental Study,” to specifically provide desired CZO text amendments as follows:

- Establish an outright prohibition in the French Quarter, except for the VCE zoning district.
- Establish an outright prohibition in the Garden District.

Located in the French Quarter and Garden District. The recommendation of the City Planning Commission being for “**MODIFIED APPROVAL**”.

Public Speaking Rules

- Each Zoning Docket will have one public comment period.
- Speakers must turn in a timestamped card with the council clerk.
- Each speaker will be allowed two minutes per public comment period.
- There will be no ceding of time.
- There will be no caps on number of speakers. Anyone who fills out and turns in a speaking card will have the option of speaking.

POTENTIAL AMENDMENTS TO ZDs 26/19 and 27/19

ZD 26/19

1. Amendment 1 – By Councilmember Gisleson Palmer

- Modify City Planning Commission's (CPC) recommendation to prohibit Commercial Short Term Rentals (STR) in HMC-1 Zoning District, to require a Conditional Use (granted by the City Council).

2. Amendment 2 – By Councilmember Banks

- Modify CPC's recommendation to prohibit Principal B&B's and Large Residential STRs in HU-RS, HU-RD1, & HU-RD2 Zoning Districts, to require a Conditional Use (granted by the City Council).

3. Amendment 3 – By Councilmember Banks

- Modify CPC's recommendation that Large Residential STRs in the HU-RM1 and HU-RM2 zoning districts require a Conditional Use, to allow these uses by-right.

4. Amendment 4 – By Cm Giarrusso

- Modify CPC's recommendation to prohibit Accessory B&B's & Small Residential STRs in S-LRS1, to allow these uses by-right.

5. Amendment 5 – By Cm Giarrusso

- Modify CPC's recommendation to allow Commercial STRs in the MI District by-right, to require a Conditional Use, granted by the Council.

6. Amendment 6 – By Cm Giarrusso

- Modify CPC's recommendation that in residential zoning districts, only 1 Principal B&B or Large Residential STR are allowed per block, to add the following zoning districts (to the block-face limitation): HU-B1A Neighborhood Business District, HU-B1 Neighborhood Business District, HU-MU Neighborhood Mixed-Use District, S-LM Lake Area Marina District, MU-1 Medium Intensity, Mixed-Use District, MU-2 High Intensity Mixed-Use District, and HM-MU Historic Marigny/Tremé/Brywater Mixed-Use District.

7. Amendment 7 – By Cms Banks, Gisleson Palmer, and Williams

- Modify CPC's recommendation to exempt the CBD from the general prohibition of no Commercial STRs on the 1st floor, to clarify that this prohibition only applies to structures that are new (new construction) or being substantially renovated/improved.

8. Amendment 8 – By Cms Moreno, Williams, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen

- Modify CPC's recommendation that Commercial STRs require the submittal of impact management plans, which include a noise abatement plan and security/operation plan, to add a requirement for a sanitation plan as well.
- 9. Amendment 9 – By Cms Moreno, Williams, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen**
- Modify CPC's recommended STR Commercial Standards, to include a requirement that Commercial STRs with 10+ units must have an on-site Operator, on-premises, at all times during guest stays.
- 10. Amendment 10 – By Cms Gisleson Palmer and Banks**
- Modify CPC's recommendation to clarify that no STRs are permitted in the French Quarter (FQ), including Partial Residential STRs, unless otherwise specifically authorized in the CZO (*please note - the substance of where these uses should be permitted/prohibited in the FQ, is addressed in ZD 27/19*).
- 11. Amendment 11 – By Cms Moreno, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen**
- Modify CPC's recommendation that the owner must be on-site during any Residential STR guest stay, and must sleep on premises during that stay, to remove this requirement, to capture the practical reality that owners may have to leave during guest stays (for work), or may have to go out-of-town, occasionally.
 - *Please note – the Homestead Exemption requirement for Residential STRs (all types) is not being amended.*
- 12. Amendment 12 – By Cms Giarrusso, Banks, and Brossett**
- Modify CPC's recommendation that Large Residential STRs cannot exceed 3 units, 9 bedrooms, & 18 guests, to retain the 3 unit limitation, but change the bedroom and occupancy limitations to 6 bedrooms and 12 guests.
- 13. Amendment 13 – By Cms Palmer and Banks**
- Modify CPC's recommendation that Large Residential STR's require an off-street parking requirement of 1 space per two bedrooms, to remove this parking requirement and default to the parking requirements provided in the respective residential, base zoning districts.
- 14. Amendment 14 – By Cms Moreno, Williams, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen**
- Modify CPC's recommendation that only one type of Residential STR is allowed per lot, to allow one Partial and one Small Residential STR on a lot of record.
- 15. Amendment 15 - By Cms Moreno, Williams, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen (By request of Council Staff)**

- Modify CPC's recommendation that all STRs require a STR "license", to utilize the word "permit" instead.

16. Amendment 16 - By Cms Moreno, Williams, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen (By request of CPC)

- Modify CPC's recommendation for the definition of "customary lodging services" to delete the reference to "Commercial STRs" because that use was inadvertently included in the rewrite.

17. Amendment 17 - By Cms Moreno, Williams, Giarrusso, Banks, Gisleson Palmer, Brossett, and Nguyen (By request of Council Staff)

- Modify CPC's recommendation for the general definition of "short term rental," to modify it to mirror the definition in the City Code.

ZD 27/19

1. Amendment 1 - By Cms Banks and Gisleson Palmer

- Modify CPC's recommendation to permit STRs/B&Bs (all types) in the VCE-1 zoning district, to prohibit these uses in the VCE-1 zoning district.

2. Amendment 2 - By Cms Banks and Gisleson Palmer

- Modify CPC's recommendation that STR/B&B (Residential types) are allowed in the Garden District, to prohibit Residential STRs/B&B in the Garden District – defined as: the center line of St. Charles Avenue, downriver side of Jackson Avenue, center line of Magazine Street, and downriver side of Delachaise Street.